

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF EGREMONT
PLANNING BOARD
Record of Proceedings
on Application for Special Permit**

Date Filed **November 10, 2016**

As Clerk of the Planning Board, I hereby certify that the following is a detailed record of all its proceedings relative to the application of:

Jonathan and Amanda Hohman, 93 Hillsdale Road
(Name and address of applicant)
for a Special Permit under the following article(s) and section(s) of the Zoning By-Law:
Section 6.2 and Article 4.1.1.3.1.ii

The applicant desires to: **own and manage a dog kennel in an accessory consumer service structure**

The premises affected are located at: 93 Hillsdale Road

1. On **August 30, 2016**, an application of which a true copy marked "A" is made a part of this record.
2. Thereupon, an advertisement, a true copy of which is marked "B" is made a part of this record, was presented to the Planning Board.
3. Notices of the hearing, a copy of which is marked "C" is made a part of this record, were mailed postpaid to the petitioner and parties in interest as specified in MGL Chapter 40A, Section 11, as amended.
4. On **October 26, continued on November 7**, a hearing was held at **Egremont Town Hall** at which hearing opportunity was given to all those interested to be heard in favor of or in opposition to said application.

Members Present: **Mark Holmes, Helen Krancer, Donald Pulfer,
Lucinda Vermeulen, Gregory Cherin**

Following the hearing, the Board made the following specific findings regarding the land in question and the proposed use (*note; Restatement of mandatory provisions and requirements are not to be taken as findings.*)

1. **The property and its structures comply with all the provisions and requirements of the Bylaw. It is in harmony with the general intent and purpose of the Bylaw. The board discussed the proposed use and**

agreed that the property would remain residential with an accessory consumer services structure.

2. The kennel will be desirable to the public convenience and welfare. It will provide a safe local place for residents to board their pets. One abutter told the board that he would be glad for the facility, because it would be much easier for him than his current situation, having to drive to Hillsdale for dog boarding
3. The kennel structure and operations will not be detrimental to adjacent uses, which are residential and rural/farm uses. The kennel will be difficult to see from the road, and it is no different in character from the common agricultural outbuildings in the neighborhood. It will have no impact of the character of the neighborhood, present and planned.
4. The kennel operation will not create undue traffic congestion or unduly impair pedestrian safety. The number of runs is nine, so the population of boarding dogs will be small enough that no appreciable increase in traffic will ensue. The driveway entry is on Route 23, a state highway.
5. The addition of a kennel will not have an effect on any public water, drainage or sewer system or any municipal facility, because its water and septic systems are on site and private. The use will not create any hazards affecting public health, safety or general welfare.

The Board voted at its meeting on **November 7, 2016** as detailed below, to

 DENY the application based on findings as recorded under item 5 herein for the following reasons: _____

 X GRANT the application subject to the following conditions, safeguards and limitations on time or use if any:

1. **Hours of Operation:** The kennel will be open for client drop off and pick-up from 8:00 a.m. to 5:00 p.m.; however, the owner/manager may accommodate special scheduling requests on a case-by-case basis, provided such cases do not cause undue neighborhood disturbance.
2. **Modifications:** The kennel structure shall not be relocated or increased in size, nor shall the use of the kennel, be expanded or altered, without modification of the Special Permit.
3. **Residency:** The kennel operation shall be owned and managed only by a resident of 93 Hillsdale Road.

4. Lighting: Exterior lighting shall be downward directed and shall be kept to the minimum necessary for accessibility and safety.
5. Retail Use: No retail sales shall be permitted
6. Hours Of Outdoor Access: Dogs boarded at the kennel shall have access to outdoor kennel runs only from 8:00 a.m. to 6:00 p.m.
7. Noise: The kennel structure shall be maintained to retain its current noise-insulation properties
8. Boarding Use Only: The kennel shall be used only for boarding dogs. It will not operate as a grooming facility, although there will be a tub for onsite bathing of dogs during the time they are boarded. No other services will be offered.

Members:

Mark Holmes [aye] , Helen Krancer [aye], Donald Pulfer [aye],

Lucinda Vermeulen [aye], Gregory Cherin [aye]

(NOTE: Show the vote of each member upon each question, or, if absent or failing to vote, indicate such fact and set forth clearly the reason or reasons for the Board's decision and for its other official actions.)

Signed:



Clerk, Planning Board